

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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Defendant Yolanda Dyess requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*, (Dkt. #1) by submitting an application to proceed *in forma pauperis* on November 5, 2012. However, as a defendant in this matter, it is unclear what fees she needs waived. Further, her application is almost entirely deficient under 28 U.S.C. § 1915. Additionally, Dyess has since retained counsel. Thus, it appears as though the request was filed in error.

Accordingly,

IT IS ORDERED:

1. Defendant Dyess' Application to Proceed *In Forma Pauperis* is DEEMED WITHDRAWN.
2. Plaintiff may file a new Application to Proceed *In Forma Pauperis* which complies with 28 U.S.C. § 1915, no later than May 24, 2013.
3. Alternatively, Defendant Dyess may file notice with the Court that she does not seek to proceed *In Forma Pauperis*, no later than May 24, 2013.

Dated this 10th day of May, 2013.

**NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE**